

D. C. Form No. 100A Rev.

TITLE OF CASE		ATTORNEYS												
<p align="center">THE UNITED STATES</p> <p align="center"><i>vs.</i></p> <p>s Brimer (2255) 02-132 1000 Reno, OK 73036</p> <p>1. Gary Lee BEST,²²</p> <p>2. Otis Elmer BRIMER,²³ and</p> <p>3. Susan Jean PRESTON,⁽²⁸⁾</p> <p align="right">Defendants.</p> <p>Defts. on bond, addresses are:</p> <table border="0"> <tr> <td>Best</td> <td>Preston</td> <td>Bob Brown (ret. Best)</td> </tr> <tr> <td>5970 E. Latimer</td> <td>565 N. W. 7th</td> <td>500 W. 7th</td> </tr> <tr> <td>Tulsa, OK 74115</td> <td>Tulsa, OK 74127</td> <td>Tulsa 582-5141</td> </tr> <tr> <td>(838-8506)</td> <td>1055 E. 60th St., Apt. 319,</td> <td>Tulsa, 747-3301</td> </tr> </table>		Best	Preston	Bob Brown (ret. Best)	5970 E. Latimer	565 N. W. 7th	500 W. 7th	Tulsa, OK 74115	Tulsa, OK 74127	Tulsa 582-5141	(838-8506)	1055 E. 60th St., Apt. 319,	Tulsa, 747-3301	<p><i>For U. S.:</i></p> <p>Hubert H. Bryant Asst. U.S. Attorney</p> <p><i>For Defendant:</i></p> <p>Tom Hanlon, (Ret. Brimer) Pythian Bldg. Tulsa, OK 74103 (918-583-6664)</p> <p>Tom Mason (Appt for Preston) Denver Bldg, Tulsa 74119 (918-582-582 x 5181)</p>
Best	Preston	Bob Brown (ret. Best)												
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STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 7-1-75 Best 9-1-75	Clerk				
J.S. 3 mailed Preston & Binner 10-1-75	Marshal				
Violation Conspiracy to Defraud U.S.A.; N.S.P.A. Title 18	Docket fee				
Sec. 371; 2314					
5 Counts Sect. 371 - \$10,000 &/or 5 yrs. Sect. 2314 - \$10,000 &/or 10 yrs.					

DATE	PROCEEDINGS
6-17-75	Indictment, filed in Open Court. v
6-17-75	Record vote of the Grand Jury, filed in Open Court. v
6-19-75	MO: Ordered by the Court that this case is set for Arraignment and Plea as to All Defts. on June 27, 1975, at 10:00 a.m. (HDC-J)v
6-19-75	Appearance Bond of Deft. Susan <u>Preston</u> in amount of \$1,000, 10%, filed with Order Specifying Methods and Conditions of Release. (CSB-Mag)v
6-19-75	Appearance Bond of Dft. <u>Best</u> IN THE amount of \$5000, 10%, filed w/Order Specifying Methods and Conditions of Release. (CSB-Mag)v
6-27-75	Case called for arraignment as to all defs. Parties present in person & rep. by counsel of record. Defs. acknowledge receipt of indictment, advised of charges & arraigned. Def. <u>Best</u> , enters plea of <u>Not Guilty</u> as to Cts. 1 & 2; Def. <u>Brimer</u> enters plea of <u>Not Guilty</u> as to Cts. 1, 3, 4 & 5; def. <u>Preston</u> enters plea of <u>Not Guilty</u> as to Ct. 1. Defs. given to 7/10/75 to file motions; govt. 5 days to respond. Case to be set for jury trial for 8/5/75. Defs. Preston & Best to stand on present bond; def. Brimer remanded to USM. (HDC-J)rm

DATE	PROCEEDINGS
7-7-75	Order, filed, that the mot. of Otis Elmer Brimer for reduction of bond is overruled. (CSB-Mag)v
7-9-75	<p>Motions of def., <u>Otis Elmer Brimer</u>, as follows:</p> <ul style="list-style-type: none"> a) to disclose witnesses of govt. who will appear at trial, w/brief; b) for discovery, w/brief; c) for bill of particulars, w/brief; d) to inspect all evidence favorable to him, w/brief; e) for disclosure of matters before grand jury, w/brief; f) for severance of Ct. 1 from remaining 2 cts; g) for severance; h) brief in support of both mos/severance; i) to adopt all motions made by co-defs. where applicable to this def.
7-10-75	Motion to Suppress of def. <u>Otis Elmer Brimer</u> , filed. mm
7-10-75	Brief in Support of Motion to Supress of def. <u>Otis Elmer Brimer</u> , filed. mm
7-10-75	Application of def. <u>Otis Elmer Brimer</u> to withdraw his Motion for a Bill of Particulars and Brief attached as both were filed inadvertently due to a secretarial mistake, filed. mm
8-11-75	Case set for hearing on all motions pending of deft. <u>Brimer</u> 7-17-75 at 10:00 a.m. (HDC-J)hm
7-14-75	Order, filed, that Brimer's mot. for Bill of Particulars should be withdrawn. (HDC-J)g cpies mailed.
7-14-75	<p>Govt's responses to mots. of deft. <u>Brimer</u> as follows, filed.k</p> <ul style="list-style-type: none"> a) in opposition to mot. to disclose witnesses of govt. b) to inspect all evidence favorable to him c) for disclosure of matters occurring before the Grand Jury d) for discovery e) for severance
7-15-75	Response of USA to mo/suppress of <u>Brimer</u> , filed. rm
7-17-75	<p>Case called for hearing on all pending motions of deft. <u>Brimer</u>. Deft. present and represented; govt. represented. The following motions were declared moot: mo/disclose witnesses of govt. who will appear at time of trial; mo/discovery; mo/inspect all evidence favorable to deft.; mo/disclosure of matters occurring before Grand Jury; mo/severance and mo/adopt. Motion for severance of Ct. 1 of Indictment from remaining 2 Counts overruled. Evid. hearing held on mo/suppress. Deft's witnesses sworn: Ronald Bell, Otis Elmer Brimer. Deft. rests. Govt. witnesses sworn: John Harrington. Govt. rests. Parties rest. Ruling on mo/suppress taken under advisement. Letter from deft. Brimer dated 7-14-75, filed in open Court. Deft. advises that all requests made in said letter have been taken care of. (HDC-J)hm</p>
7-17-75	Order, filed, that mo/discovery of Brimer is now moot. (HDC-J)rm-copies md.
7-17-75	Order, filed, that mo/severance of def. Brimer is now moot.(HDC-J)rm-copies md.
7-17-75	Order, filed, that mo/adopt of def. Brimer is now moot.(HDC-J)rm-copies md
7-17-75	Order, filed, that mo/disclose witnesses of def. Brimer is now moot.(HDC-J)rm-copies md.
7-17-75	Order, filed, that mo/inspect of def. Brimer is now moot. (HDC-J)rm-copies md.
7-17-75	Order, filed, that mo/disclosure of Grand Jury matters of def. Brimer is now moot.(HDC-J)rm - copies md.
7-17-75	Order, filed, that mo/severance of Ct. I of def. Brimer is overruled.(HDC-J)rm-cop

D. C. 109A
CRIMINAL DOCKET

Sheet No. 2

DATE	PROCEEDINGS
7-17-75	Order, filed, overruling mo/suppress of def. Brimer.(HDC-J)rm-copies md.
7-29-75	MO: Ordered by the Court that case is set for change of plea as to Defts' Best & Preston on 8-4-75, at 1:30 P.M.(HDC-J)b nts mld
8-4-75	Case called for change of plea as to defts. Best, Brimer and Preston. Defts. each present and represented; govt. represented. Defts. each acknowledge receipt of indictment, indictment read, defts. arraigned and change their plea from not guilty to: deft. Best, GUILTY as to Cts. 1&2; Brimer, GUILTY as to Cts. 1,3,4&5; deft. Preston, GUILTY as to Ct. 1. Defts. each waive jury and waivers of jury signed and filed in open court by each deft. Deft. Best adjudged GUILTY as charged in Cts. 1&2; Deft. Brimer adjudged GUILTY as charged in Cts. 1,3,4&5; deft. Preston adjudged GUILTY as charged in Ct. 1. Sentence set 8-25-75 at 10:00 a.m. for defts. <u>Best</u> and <u>Preston</u> . Sentence passed on deft. <u>Brimer</u> . Defts. Best & Preston allowed to stand on present bond. Deft. Brimer remanded to custody of USM. (HDC-J)hm
8-18-75	MO: It is ordered by the Court that the case is set for sentencing ^{on deft Brimer} on 9-2-75 before Judge Cook at 1:30 PM. (HDC-J) Notices mld mm
8-25-75	Case called for sentence as to defts. <u>Gary Lee Best</u> and <u>Susan Jean Preston</u> . Defts. each present and represented; govt. represented. Deft. <u>Best</u> & counsel asked if they have anything to say before sentence is pronounced. Judgment and Sentence - <u>Gary Lee Best</u> (Age 22) Atty. Gen. - Ct. 1 - Two and One-half (2½) Years Ct. 2 - Two and One-half (2½) Years, to run concurrent w/sentence imposed in Count One. Deft. Best remanded to custody of U.S. Marshal.
8-25-75	Judgment and Commitment as to deft. <u>Gary Lee Best</u> , filed and entered. (HDC-J)
8-25-75	Two c/c of J&C on Best delivered to U.S. Marshal. hm
8-25-75	Order, filed, directing U.S. Marshal to take custody of deft. <u>Otis Elmer Brimer</u> at Tulsa County Jail to assist FBI in locating stolen property, and upon completion return deft. to Tulsa County Jail. (HDC-J)g
9-2-75	Order, filed, to disburse \$500 cash bond posted for <u>Gary Best</u> to <u>Thomas G. Hanlon</u> . (HDC-J)g
9-2-75	Case called for sentence as to deft. <u>Otis Elmer Brimer</u> . Deft. present and represented; govt. represented. Deft. & counsel asked if they care to say anything before sentence is pronounced. Judgment and Sentence - <u>Otis Elmer Brimer</u> (Age 42) Atty. Gen. - Count One - Five (5) Years Count Three - Five (5) Years Count Four - Five (5) Years Count Five - Five (5) Years IT IS ADJUDGED that the sentence imposed in Cts. 3,4&5 shall run concurrently with the sentence imposed in Ct. 1. Deft. remanded to custody of U.S. Marshal. (HDC-J)hm
9-2-75	Judgment and Commitment of deft. <u>Brimer</u> , filed and entered. (HDC-J)hm
9-2-75	Two c/c of J&C delivered to U. S. Marshal. hm

DATE	PROCEEDINGS
9-3-75	US Marshals return W/Order (HDC-J) directing <u>Otis Elmer Brimer</u> , Tulsa County Jail, to be delivered to the bridge at 46th Street North & 145th East Ave, Tulsa, on 8-25-75 and to be returned to Tulsa County Jail same day, filed. mm
9-9-75	Case called for sentence of deft. Susan Jean Preston. Deft. present and represented; govt. represented. Deft. & counsel asked if they care to say anything before sentence is pronounced. Judgment and Sentence - <u>Susan Jean Preston</u> (Age 28) Atty. Gen. - One and one-half (1½) years The Court requests that special attention be given the deft. for treatment of psychological and drug-related problems, in order to help her overcome these problems.
9-9-75	Deft. remanded to custody of U.S. Marshal. (HDC-J)hm
9-9-75	Judgment and commitment, filed and entered. (HDC-J)hm
9-9-75	Two c/c of J&C delivered to U.S. Marshal. hm
9-19-75	Marshals return on J&C on Gary Lee Best. Deft/ delivered on 8-25-75 to Tulsa County Jail, Tulsa. No appeal noted. Deft. delivered on 9-15-75 to Federal Reformatory, El Reno, Oklahoma, filed. mm
9-25-75	Order, filed, that Clerk disburse to Melba S. Owens bond money in sum of \$100, re Preston. (HDC-J)rm
10-10-75	Order, filed, overruling motion for reduction of sent. of Deft. Otis Elmer BRIMER. (HDC-J)v -cps. mld.
10-16-75	Return on J&S as to Deft. PRESTON, filed. Executed by delivering said Deft. to Kansas Industrial Farm for Women in Lansing, KS, on 10-15-75. v
10-16-75	Return on J&S as to Deft. BRIMER, filed. Executed by delivering Deft. to Fed. Pen. at Leavenworth, KS, on 10-11-75. v
10-24-75	Motion (letter) of Susan Preston for reduction of sentence as per Rule 35, filed. g
10-24-75	Motion (and letter) of Gary Lee Best for reduction or modification of sentence, filed. g
10-30-75	Order, filed, overruling motion of Susan Jean Preston for reduction of sentence. (HDC-J)g (copies to deft. & US. Atty).
10-30-75	Order, filed, overruling motion of Gary Lee Best for reduction of sentence. (HDC-J)g copy to deft. & U.S. Atty.)
11-5-75	Motion of Gary Lee Best for reduction of sentence, filed. g
11-5-75	Order, filed, overruling motion of Gary Lee Best for reduction or modification of sentence. (HDC-J)g copies mailed. g
11-28-75	Ltr. from Deft., Otis Brimer to Judge Cook, filed. tc
11-28-75	Order o/r sec. Mot for reduction of sentence of Deft. Otis Brimer, filed. (HDC-J)tc
5-29-79	MOTION to vacate by Deft. Brimmer. ho (79-C-391-C)
6-6-79	ORDER entered denying motion to vacate as to deft. Brimmer. (HDC-J)g cp mld